

**WEDNESDAY, AUGUST 12, 2020**

**THIRD LEGISLATIVE DAY**

**SECOND EXTRAORDINARY SESSION**

The House met at 2:30 p.m. and was called to order by Mr. Speaker Sexton.

The proceedings were opened with prayer by Rep. Shaw.

Representative Shaw led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 92

Representatives present were Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 92

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Coley

Representative Cooper

Representative Casada

Representative Carter

Representative Love

Representative Camper

### SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 6** Reps. Moon, Eldridge, Weaver and Lamberth as prime sponsors.

**House Joint Resolution No. 18** Reps. Stewart, Freeman, Beck, Hakeem, Chism, Potts, Towns, G. Johnson, Miller, Shaw, Hardaway, Jernigan, Hodges, Powell, Thompson, Staples, Dixie and Windle as prime sponsors.

**House Joint Resolution No. 23** Reps. Rudd, Baum, Sparks and Boyd as prime sponsors.

**House Joint Resolution No. 24** Reps. Vaughan and White as prime sponsors.

**House Joint Resolution No. 26** Rep. Staples as prime sponsor.

**House Bill No. 1** Reps. C. Johnson, Hicks, Cochran and Shaw as prime sponsors.

**House Bill No. 2** Reps. Cochran, Towns, Powell, Hardaway, Doggett, Freeman and Lamar as prime sponsors.

**House Bill No. 5** Reps. Cochran, Doggett, Terry, Williams, T. Hill, Holsclaw, Tillis and Daniel as prime sponsors.

**House Bill No. 6** Reps. Ramsey, Zachary, Hurt, Sparks, Weaver, Cochran, Farmer, Carr, Baum, Cepicky and Crawford as prime sponsors.

### MESSAGE FROM THE SENATE August 12, 2020

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 20, 21, 22, 23 and 24; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Joint Resolution No. 20** -- Memorials, Recognition - Cindy Kelley. by \*Southerland.

**\*Senate Joint Resolution No. 21** -- Memorials, Recognition - Don and Pat Merzlak. by \*Southerland.

**\*Senate Joint Resolution No. 22** -- Memorials, Professional Achievement - Dr. Benjamin D. Caton III, Teacher of the Year, Tennessee Music Teachers Association. by \*Crowe, \*Southerland.

**\*Senate Joint Resolution No. 23** -- Memorials, Recognition - Tennessee Farmers Cooperative, 75th anniversary. by \*Haile, \*Bailey, \*Bell, \*Niceley, \*Akbari, \*Bowling, \*Briggs,

\*Crowe, \*Dickerson, \*Gardenhire, \*Gilmore, \*Gresham, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Kyle, \*Lundberg, \*Massey, \*Powers, \*Reeves, \*Roberts, \*Rose, \*Southerland, \*Stevens, \*Swann, \*Watson, \*White, \*Yager, \*Yarbro, \*McNally.

**\*Senate Joint Resolution No. 24** -- Memorials, Congratulations - Luke and Mackenzie Gustafson, 10th wedding anniversary. by \*Johnson, \*Southerland.

**MESSAGE FROM THE SENATE**  
**August 12, 2020**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 25 and 26; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Joint Resolution No. 25** -- Memorials, Personal Occasion - Joe Millsaps, 90th birthday. by \*Reeves.

**\*Senate Joint Resolution No. 26** -- Memorials, Recognition - Representative Harry T. Burn, Deciding Vote on Women's Suffrage . by \*Bell, \*Yager, \*Akbari, \*Bowling, \*Gilmore, \*Gresham, \*Kyle, \*Massey, \*White, \*Bailey, \*Briggs, \*Crowe, \*Dickerson, \*Gardenhire, \*Haile, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Lundberg, \*Niceley, \*Powers, \*Reeves, \*Roberts, \*Rose, \*Southerland, \*Stevens, \*Swann, \*Watson, \*Yarbro, \*McNally.

**MESSAGE FROM THE SENATE**  
**August 12, 2020**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 2; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Bill No. 2** -- Tort Liability and Reform - As introduced, enacts "Tennessee COVID-19 Recovery Act." - Amends TCA Title 9, Chapter 8, Part 3; Title 29, Chapter 34; Title 29, Chapter 20 and Title 49, Chapter 7, Part 1. by \*Johnson, \*Bell, \*Yager, \*Rose, \*Bailey, \*Bowling, \*Gardenhire, \*Gresham, \*Kelsey, \*Lundberg, \*Massey, \*Reeves, \*Stevens. (\*HB1 by \*Lamberth, \*Gant, \*Curcio, \*Smith, \*Carr, \*Ramsey, \*Moon, \*Eldridge, \*Keisling, \*Crawford, \*Travis, \*Baum, \*Terry, \*Ragan, \*Marsh, \*Helton, \*Dunn, \*Hawk, \*Powers, \*Bricken, \*Hazlewood, \*Faison, \*Sexton C, \*Byrd, \*Hall, \*White, \*Weaver, \*Sherrell, \*Rudd, \*Howell, \*Sexton J, \*Griffey, \*Grills, \*Todd, \*Wright, \*Littleton, \*Moody, \*Cepicky, \*Ogles, \*Haston, \*Hurt, \*Kumar, \*Zachary, \*Lafferty, \*Russell, \*Lynn, \*Rudder, \*Halford, \*Boyd, \*Whitson, \*Vaughan, \*Sparks, \*Garrett, \*Daniel, \*Holsclaw, \*Reedy, \*Calfee, \*Doggett, \*Holt, \*Johnson C, \*Hicks, \*Cochran, \*Shaw)

**MESSAGE FROM THE SENATE**  
**August 12, 2020**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 1; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Bill No. 1** -- Local Government, General - As introduced, prohibits a governmental entity from intentionally preventing or prohibiting law enforcement or fire and rescue services from accessing a specifically bounded area within the governmental entity's jurisdiction during a public demonstration; declares a governmental entity may be held liable for injury proximately caused by the governmental entity intentionally preventing or prohibiting law enforcement or fire and rescue services from accessing a specifically bounded area during a public demonstration. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 29 and Title 38. by \*Hensley, \*Bowling, \*Gresham, \*Rose, \*Stevens. (\*HB6 by \*Ogles, \*Dunn, \*Daniel, \*Hill M, \*Gant, \*Todd, \*White, \*Moody, \*Travis, \*Williams, \*Ragan, \*Sexton J, \*Helton, \*Bricken, \*Halford, \*Hall, \*Reedy, \*Kumar, \*Van Huss, \*Lynn, \*Byrd, \*Eldridge, \*Doggett, \*Griffey, \*Wright, \*Littleton, \*Russell, \*Garrett, \*Lafferty, \*Hulsey, \*Rudder, \*Terry, \*Powers, \*Keisling, \*Rudd, \*Holt, \*Grills, \*Smith, \*Sherrell, \*Hill T, \*Marsh, \*Ramsey, \*Zachary, \*Hurt, \*Sparks, \*Weaver, \*Cochran, \*Farmer, \*Carr, \*Baum, \*Cepicky, \*Crawford)

**MESSAGE FROM THE SENATE**  
**August 12, 2020**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 5; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Bill No. 5** -- Criminal Offenses - As introduced, revises certain criminal laws impacting peaceful demonstrations; authorizes the attorney general to investigate and prosecute crimes when the victim is a state employee, state property was damaged, or the administration of state government was delayed as a result of the crime. - Amends TCA Title 8; Title 38; Title 39 and Title 40. by \*Johnson, \*Stevens, \*Yager, \*Rose, \*Bailey, \*Bowling, \*Gardenhire, \*Gresham, \*Jackson, \*Reeves. (\*HB5 by \*Lamberth, \*Gant, \*Hurt, \*Crawford, \*Smith, \*Faison, \*Sexton C, \*Byrd, \*Hall, \*Weaver, \*White, \*Sherrell, \*Rudd, \*Howell, \*Hulsey, \*Griffey, \*Todd, \*Sexton J, \*Garrett, \*Wright, \*Grills, \*Littleton, \*Moody, \*Cepicky, \*Ogles, \*Haston, \*Kumar, \*Zachary, \*Lafferty, \*Russell, \*Lynn, \*Rudder, \*Halford, \*Boyd, \*Whitson, \*Vaughan, \*Ramsey, \*Moon, \*Carr, \*Eldridge, \*Keisling, \*Travis, \*Ragan, \*Helton, \*Marsh, \*Hawk, \*Bricken, \*Powers, \*Hazlewood, \*Cochran, \*Doggett, \*Terry, \*Williams, \*Hill T, \*Holsclaw, \*Tillis, \*Daniel)

**MESSAGE FROM THE SENATE**  
**August 12, 2020**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 27; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Joint Resolution No. 27** -- General Assembly, Adjournment - Adjourns sine die the Second Extraordinary Session of the 111th General Assembly. by \*Johnson.

## RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar No. 2 for August 12, 2020:

**House Resolution No. 7** -- Memorials, Recognition - Dr. William E. (Bill) Owens, 50th anniversary in the ministry. by \*Helton.

**House Resolution No. 8** -- Memorials, Recognition - Jonathan M. Metz, 2020 Robert F. Kennedy Book Award. by \*Clemmons.

**\*House Joint Resolution No. 28** -- Memorials, Recognition - Dr. William E. (Bill) Owens, 50th anniversary in the ministry. by \*Helton.

**\*House Joint Resolution No. 29** -- Memorials, Academic Achievement - Henry Coen, Valedictorian, Roane County High School. by \*Calfee.

**\*House Joint Resolution No. 30** -- Memorials, Academic Achievement - Keylon Reynolds, Salutatorian, Roane County High School. by \*Calfee.

**\*House Joint Resolution No. 31** -- Memorials, Personal Occasion - Louise Anderson Warmley, 100th birthday. by \*Calfee.

## SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar No. 2 for August 12, 2020:

**\*Senate Joint Resolution No. 20** -- Memorials, Recognition - Cindy Kelley. by \*Southerland.

**\*Senate Joint Resolution No. 21** -- Memorials, Recognition - Don and Pat Merzlak. by \*Southerland.

**\*Senate Joint Resolution No. 22** -- Memorials, Professional Achievement - Dr. Benjamin D. Caton III, Teacher of the Year, Tennessee Music Teachers Association. by \*Crowe, \*Southerland.

**\*Senate Joint Resolution No. 23** -- Memorials, Recognition - Tennessee Farmers Cooperative, 75th anniversary. by \*Haile.

**\*Senate Joint Resolution No. 24** -- Memorials, Congratulations - Luke and Mackenzie Gustafson, 10th wedding anniversary. by \*Johnson, \*Southerland.

**\*Senate Joint Resolution No. 25** -- Memorials, Personal Occasion - Joe Millsaps, 90th birthday. by \*Reeves.

**\*Senate Joint Resolution No. 26** -- Memorials, Recognition - Representative Harry T. Burn, Deciding Vote on Women's Suffrage. by \*Bell, \*Yager, \*Akbari, \*Bowling, \*Gilmore,

\*Gresham, \*Kyle, \*Massey, \*White, \*Bailey, \*Briggs, \*Crowe, \*Dickerson, \*Gardenhire, \*Haile, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Lundberg, \*Niceley, \*Powers, \*Reeves, \*Roberts, \*Rose, \*Southerland, \*Stevens, \*Swann, \*Watson, \*Yarbro, \*McNally.

### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**\*House Bill No. 11** -- Landlord and Tenant - As introduced, requires the court to stay proceedings in any detainer warrant action or eviction proceeding for a period of 21 days if certain conditions are met. - Amends TCA Title 13; Title 29 and Title 66. by \*Parkinson.

**House Bill No. 12** -- Insurance, Health, Accident - As introduced, makes various changes to the law concerning the electronic delivery of health care and its coverage under certain insurance policies and TennCare. - Amends TCA Title 56 and Section 63-1-155. by \*Lamberth, \*Sexton C, \*Gant.

**House Bill No. 13** -- Tort Liability and Reform - As introduced, enacts "Tennessee COVID-19 Recovery Act." - Amends TCA Title 9, Chapter 8, Part 3; Title 29, Chapter 34; Title 29, Chapter 20 and Title 49, Chapter 7, Part 1. by \*Lamberth, \*Sexton C, \*Gant.

### HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 7** -- Tort Liability and Reform -- House COVID Related Liability Committee

**House Bill No. 8** -- Workers Compensation -- House COVID Related Liability Committee

**House Bill No. 9** -- State Government -- House Public Safety Committee

**House Bill No. 10** -- Law Enforcement -- House Public Safety Committee

### REPORTS FROM STANDING COMMITTEES

The committees that met on **August 12, 2020**, reported the following:

#### ELECTRONIC DELIVERY OF HEALTHCARE COMMITTEE

The Electronic Delivery Of Healthcare Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 2 with amendments. Pursuant to Rule No. 72, each was referred to the Finance, Ways and Means Committee.

## FINANCE, WAYS AND MEANS COMMITTEE

The Finance, Ways and Means Committee recommended for passage: House Bill No. 2; also House Bills Nos. 5 and 3 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

## COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bills on the **Regular Calendar** for **August 12, 2020**: House Bills Nos. 3, 5, 1, 2 and 6.

## CONSENT CALENDAR

**House Resolution No. 3** -- Memorials, Retirement - Mary Pat Teague. by \*Clemmons.

**House Resolution No. 4** -- Memorials, Retirement - Gary Gray. by \*Powers.

**House Resolution No. 5** -- Memorials, Recognition - Ava Ingle. by \*Todd, \*Baum, \*Beck, \*Boyd, \*Bricken, \*Byrd, \*Calfee, \*Carr, \*Cepicky, \*Chism, \*Clemmons, \*Cochran, \*Crawford, \*Curcio, \*Daniel, \*DeBerry, \*Doggett, \*Dunn, \*Eldridge, \*Faison, \*Farmer, \*Freeman, \*Gant, \*Garrett, \*Griffey, \*Grills, \*Hakeem, \*Halford, \*Hall, \*Hardaway, \*Haston, \*Hawk, \*Hazlewood, \*Helton, \*Hicks, \*Hill M, \*Hill T, \*Hodges, \*Holsclaw, \*Holt, \*Howell, \*Hulsey, \*Hurt, \*Jernigan, \*Johnson C, \*Johnson G, \*Kumar, \*Lafferty, \*Lamar, \*Lamberth, \*Leatherwood, \*Littleton, \*Lynn, \*Marsh, \*Miller, \*Mitchell, \*Moody, \*Moon, \*Ogles, \*Potts, \*Powell, \*Powers, \*Ramsey, \*Reedy, \*Rudd, \*Rudder, \*Russell, \*Sexton C, \*Sexton J, \*Shaw, \*Sherrell, \*Smith, \*Sparks, \*Staples, \*Stewart, \*Terry, \*Thompson, \*Tillis, \*Towns, \*Travis, \*Van Huss, \*Vaughan, \*Weaver, \*White, \*Whitson, \*Williams, \*Windle, \*Wright, \*Zachary.

**House Resolution No. 6** -- Memorials, Death - William Roscoe Lamberth, Jr. by \*Gant, \*Sexton C, \*Faison, \*Staples, \*Griffey, \*Holt, \*Tillis, \*Potts, \*Dunn, \*Leatherwood, \*Baum, \*Farmer, \*Russell, \*Carr, \*Marsh, \*Vaughan, \*Littleton, \*Williams, \*Hulsey, \*Hicks, \*Powers, \*Byrd, \*Bricken, \*Travis, \*Boyd, \*Rudder, \*Haston, \*Van Huss, \*Ragan, \*Holsclaw, \*Doggett, \*Rudd, \*Crawford, \*Moody, \*Todd, \*Camper, \*Keisling, \*Love, \*DeBerry, \*Grills, \*Hawk, \*Ogles, \*Moon, \*Eldridge, \*Weaver, \*Beck, \*Calfee, \*Cepicky, \*Chism, \*Clemmons, \*Cochran, \*Curcio, \*Daniel, \*Freeman, \*Garrett, \*Hakeem, \*Halford, \*Hall, \*Hardaway, \*Hazlewood, \*Helton, \*Hill M, \*Hill T, \*Hodges, \*Howell, \*Hurt, \*Jernigan, \*Johnson C, \*Johnson G, \*Kumar, \*Lafferty, \*Lamar, \*Lynn, \*Miller, \*Mitchell, \*Powell, \*Ramsey, \*Reedy, \*Sexton J, \*Shaw, \*Sherrell, \*Smith, \*Sparks, \*Stewart, \*Terry, \*Thompson, \*Towns, \*White, \*Whitson, \*Windle, \*Wright, \*Zachary, \*Lamberth.

**\*House Joint Resolution No. 17** -- Memorials, Retirement - Mayor Lane Curlee. by \*Bricken.

**\*House Joint Resolution No. 18** -- Memorials, Death - Eddie Ray Conrad. by \*Clemmons, \*Stewart, \*Freeman, \*Beck, \*Hakeem, \*Chism, \*Potts, \*Towns, \*Johnson G, \*Miller, \*Shaw, \*Hardaway, \*Jernigan, \*Hodges, \*Powell, \*Thompson, \*Staples, \*Dixie, \*Windle.

**\*House Joint Resolution No. 19** -- Memorials, Retirement - Jim Hoobler. by \*Clemmons.

**\*House Joint Resolution No. 20** -- Memorials, Death - United States Congressman John Robert Lewis. by \*Clemmons.

**\*House Joint Resolution No. 21** -- Memorials, Recognition - Waverly Belmont Elementary School Class of 2020. by \*Clemmons.

**\*House Joint Resolution No. 22** -- Memorials, Public Service - Representative Rick Staples. by \*Hardaway, \*Love, \*Dixie, \*Chism, \*Hakeem, \*Johnson G, \*Shaw, \*Powell, \*Miller, \*Camper, \*Lamar, \*DeBerry, \*Stewart, \*Faison, \*Wright, \*Sexton C, \*Lafferty, \*Lamberth, \*Dunn, \*Zachary.

**\*House Joint Resolution No. 23** -- Memorials, Professional Achievement - Bonita Jo Atwood, Circuit Court Judge for the 16th Judicial District. by \*Terry, \*Rudd, \*Baum, \*Sparks, \*Boyd.

**\*House Joint Resolution No. 24** -- Memorials, Recognition - Naser Fazlullah. by \*Leatherwood, \*Vaughan, \*White.

**\*House Joint Resolution No. 25** -- Memorials, Death - Dr. Jerry Kenneth Adams. by \*Howell.

**\*House Joint Resolution No. 26** -- Memorials, Sports - Tamaurice "Tee" Higgins. by \*Ragan, \*Staples.

**\*House Joint Resolution No. 27** -- Memorials, Personal Occasion - Clara Jewel Curd Hall Hughes, 100th birthday. by \*Ragan.

**\*Senate Joint Resolution No. 1** -- Memorials, Death - Preacher James R. "Jim" Potter. by \*Yager.

**\*Senate Joint Resolution No. 2** -- Memorials, Death - Lucy Lobertini. by \*Yager.

**\*Senate Joint Resolution No. 3** -- Memorials, Death - Brother Ivan N. Raley. by \*Yager, \*Rose.

**\*Senate Joint Resolution No. 4** -- Memorials, Professional Achievement - Coach George Frye, 2020 Outstanding Service to Students Award. by \*Southerland.

**\*Senate Joint Resolution No. 5** -- Memorials, Professional Achievement - Dr. Melinda Douthat Pruitt, 2020 Judy Thompson Phillips Lifetime Contribution to Education Award. by \*Southerland.

**\*Senate Joint Resolution No. 6** -- Memorials, Professional Achievement - Sherry Hensley, North Greene High School, 9-12 District Teacher of the Year. by \*Southerland.

**\*Senate Joint Resolution No. 7** -- Memorials, Professional Achievement - MSG Kent Lyon, Jr., ROTC, Glenwood Educational Center, 9-12 District Teacher of the Year. by \*Southerland.

**\*Senate Joint Resolution No. 8** -- Memorials, Professional Achievement - Angie Tilson, McDonald Elementary School, 5-8 District Teacher of the Year. by \*Southerland.



**\*Senate Joint Resolution No. 9** -- Memorials, Professional Achievement - Amanda Bishop, Doak Elementary School, K-4 District Teacher of the Year. by \*Southerland, \*Crowe.

**\*Senate Joint Resolution No. 10** -- Memorials, Professional Achievement - Michael Del Bosco, Wilson County Teacher of the Year. by \*Pody.

**\*Senate Joint Resolution No. 11** -- Memorials, Death - Charlie Daniels. by \*Pody, \*Crowe, \*Southerland.

**\*Senate Joint Resolution No. 12** -- Memorials, Retirement - Chief Master Sergeant Scott Roberts, Tennessee Air National Guard. by \*Pody.

**\*Senate Joint Resolution No. 13** -- Memorials, Recognition - Walden Security, 30th anniversary. by \*Watson.

**\*Senate Joint Resolution No. 14** -- Memorials, Recognition - Tennessee Farmers Cooperative, 75th anniversary. by \*Haile, \*Rose, \*Southerland.

**\*Senate Joint Resolution No. 15** -- Memorials, Professional Achievement - Dusty Vaughan, Glenellen Elementary School Grades Pre-K-4 Teacher of the Year. by \*Powers.

**\*Senate Joint Resolution No. 17** -- Memorials, Recognition - Archer Clifford "Cliff" Stephens, 2020 Norris Day Honoree. by \*McNally.

**\*Senate Joint Resolution No. 18** -- Memorials, Retirement - Thomas Tigue. by \*McNally, \*Dickerson, \*Kelsey, \*Massey, \*Southerland, \*Yarbro.

**\*Senate Joint Resolution No. 19** -- Memorials, Death - Joseph Andrew Lenhard. by \*McNally, \*Yager.

### **OBJECTION--CONSENT CALENDAR**

Objection was filed to the following on the Consent Calendar:

**Senate Joint Resolution No. 14:** by Rep. Lamberth

Under the rules, Senate Joint Resolution No. 8014, was placed at the heel of the calendar for August 13, 2020.

Rep. Gant moved that all members voting aye on House Resolution No. 6 be added as co-prime sponsors, which motion prevailed with the following member not added pursuant to the signed Sponsor Exclusion form: Rep. Ragan.

Rep. Todd moved that all members voting aye on House Resolution No. 5 be added as co-prime sponsors, which motion prevailed with the following member not added pursuant to the signed Sponsor Exclusion form: Rep. Ragan.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	90
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--90

Representatives present and not voting were: Dixie, Keisling--2

A motion to reconsider was tabled.

## REGULAR CALENDAR

**\*House Bill No. 3** -- Appropriations - As introduced, makes appropriations sufficient to provide the first year's funding for any act which receives final passage during the second extraordinary session of the 111th General Assembly. by \*Lamberth, \*Gant, \*Lynn, \*Hicks, \*Hazlewood, \*Hill M. (SB4 by \*Johnson, \*Rose)

Rep. Lamberth moved that House Bill No. 3 be passed on third and final consideration.

Rep. Lynn moved adoption of Finance, Ways, and Means Committee Amendment No. 1 as follows:

### Amendment No. 1

AMEND House Bill No. 3 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$692,500 for the sole purpose of implementing Senate Bill 3 / House Bill 2, relative to electronic delivery of health care, if such bill becomes a law.

SECTION 2. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$474,400 (which shall be allocated

for incarceration costs) for the sole purpose of implementing Senate Bill 5 / House Bill 5, relative to criminal law, if such bill becomes a law.

SECTION 3. From the supplemental appropriation to Section 42, Item 2, Chapter 651, Public Acts of 2020, made in Section 14, Item 2, Chapter 760, Public Acts of 2020, there is earmarked a sum of \$68,000 for the sole purpose of funding the state share of the cost of any law of general application which requires, without local discretion, that incorporated municipalities or county governments increase expenditures as a direct consequence of passage of any general law during the 2020 second extraordinary session of the 111th General Assembly. It is the legislative intent that such funds appropriated by this section be divided and distributed to the various municipalities and counties as follows: fifty percent (50%) to municipalities on the basis of population and fifty percent (50%) to counties on the basis of population.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways, and Means Committee Amendment No. 1 was adopted.

Rep. Zachary moved the previous question, which motion prevailed.

Rep. Lamberth moved that **House Bill No. 3**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	71
Noes .....	19

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Cochran, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hill M, Hill T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--71

Representatives voting no were: Beck, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Miller, Mitchell, Potts, Powell, Staples, Stewart, Thompson, Towns--19

A motion to reconsider was tabled.

**\*House Bill No. 5 -- Criminal Offenses** - As introduced, revises certain criminal laws impacting peaceful demonstrations; authorizes the attorney general to investigate and prosecute crimes when the victim is a state employee, state property was damaged, or the administration of state government was delayed as a result of the crime. - Amends TCA Title 8; Title 38; Title 39 and Title 40. by \*Lamberth, \*Gant, \*Hurt, \*Crawford, \*Smith, \*Faison, \*Sexton C, \*Byrd, \*Hall, \*Weaver, \*White, \*Sherrell, \*Rudd, \*Howell, \*Hulsey, \*Griffey, \*Todd, \*Sexton J, \*Garrett, \*Wright, \*Grills, \*Littleton, \*Moody, \*Cepicky, \*Ogles, \*Haston, \*Kumar, \*Zachary, \*Lafferty, \*Russell, \*Lynn, \*Rudder, \*Halford, \*Boyd, \*Whitson, \*Vaughan, \*Ramsey, \*Moon, \*Carr, \*Eldridge, \*Keisling, \*Travis, \*Ragan, \*Helton, \*Marsh, \*Hawk, \*Bricken, \*Powers, \*Hazlewood, \*Cochran, \*Doggett, \*Terry, \*Williams, \*Hill T, \*Holsclaw, \*Tillis, \*Daniel. (SB5 by \*Johnson, \*Stevens, \*Yager, \*Rose, \*Bailey, \*Bowling, \*Gardenhire, \*Gresham, \*Jackson, \*Reeves)

Rep. Lamberth requested that House Bill No. 5 be moved down two places on today's Calendar, which motion prevailed.

**\*House Bill No. 1 -- Tort Liability and Reform** - As introduced, enacts "Tennessee COVID-19 Recovery Act." - Amends TCA Title 9, Chapter 8, Part 3; Title 29, Chapter 34; Title 29, Chapter 20 and Title 49, Chapter 7, Part 1. by \*Lamberth, \*Gant, \*Curcio, \*Smith, \*Carr, \*Ramsey, \*Moon, \*Eldridge, \*Keisling, \*Crawford, \*Travis, \*Baum, \*Terry, \*Ragan, \*Marsh, \*Helton, \*Dunn, \*Hawk, \*Powers, \*Bricken, \*Hazlewood, \*Faison, \*Sexton C, \*Byrd, \*Hall, \*White, \*Weaver, \*Sherrell, \*Rudd, \*Howell, \*Sexton J, \*Griffey, \*Grills, \*Todd, \*Wright, \*Littleton, \*Moody, \*Cepicky, \*Ogles, \*Haston, \*Hurt, \*Kumar, \*Zachary, \*Lafferty, \*Russell, \*Lynn, \*Rudder, \*Halford, \*Boyd, \*Whitson, \*Vaughan, \*Sparks, \*Garrett, \*Daniel, \*Holsclaw, \*Reedy, \*Calfee, \*Doggett, \*Holt, \*Johnson C, \*Hicks, \*Cochran, \*Shaw. (SB2 by \*Johnson, \*Bell, \*Yager, \*Rose, \*Bailey, \*Bowling, \*Gardenhire, \*Gresham, \*Kelsey, \*Lundberg, \*Massey, \*Reeves, \*Stevens)

Rep. Lamberth requested that House Bill No. 1 be moved down one place on today's Calendar, which motion prevailed.

**\*House Bill No. 2 -- Insurance, Health, Accident** - As introduced, makes various changes to the law concerning the electronic delivery of health care and its coverage under certain insurance policies and TennCare. - Amends TCA Title 56 and Section 63-1-155. by \*Lamberth, \*Gant, \*Smith, \*Faison, \*Sexton C, \*Byrd, \*Hall, \*Weaver, \*White, \*Sherrell, \*Rudd, \*Howell, \*Hulsey, \*Sexton J, \*Griffey, \*Todd, \*Garrett, \*Wright, \*Grills, \*Littleton, \*Moody, \*Cepicky, \*Ogles, \*Haston, \*Hurt, \*Kumar, \*Zachary, \*Lafferty, \*Russell, \*Lynn, \*Halford, \*Boyd, \*Whitson, \*Vaughan, \*Rudder, \*Ramsey, \*Carr, \*Moon, \*Eldridge, \*Crawford, \*Keisling, \*Terry, \*Travis, \*Baum, \*Ragan, \*Marsh, \*Helton, \*Dunn, \*Hawk, \*Bricken, \*Powers, \*Hazlewood, \*Sparks, \*Cochran, \*Towns, \*Powell, \*Hardaway, \*Doggett, \*Freeman, \*Lamar. (SB3 by \*Johnson, \*Bailey, \*Yager, \*Briggs, \*Swann, \*Gardenhire, \*Reeves, \*Rose, \*Yarbro)

Rep. Lamberth moved that House Bill No. 2 be passed on third and final consideration.

Rep. Terry moved adoption of Electronic Delivery of Healthcare Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2 by deleting the amendatory language of subdivision (h)(1) from SECTION 9 and substituting instead the following:

(1) Notwithstanding subsection (a), for the purposes of this section "healthcare provider" means:

(A) Any provider licensed under this title;

(B) Any state-contracted crisis service provider that is employed by a facility licensed under title 33; or

(C) Any alcohol and drug abuse counselor licensed under title 68, chapter 24, part 6.

On motion, Electronic Delivery of Healthcare Committee Amendment No. 1 was adopted.

Rep. Hardaway moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Marsh moved the previous question, which motion prevailed.

Rep. Lamberth moved that **House Bill No. 2**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	91
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Moody, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Towns, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--91

Representatives present and not voting were: Mitchell--1

A motion to reconsider was tabled.

## **RULES SUSPENDED**

Rep. Mitchell moved that the rules be suspended for the purpose of introducing House Resolution No. 9 out of order, which motion prevailed.

**House Resolution No. 9** -- Memorials, Retirement - Steve Hawkins. by \*Mitchell.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Mitchell, the resolution was adopted.

A motion to reconsider was tabled.

## **RECOGNITION IN THE WELL**

Representative Faison was recognized in the Well to commend Representative Rick Tillis for his honorable and astute service to the people of Tennessee as a member of the House of Representatives.

## **RESOLUTION READ**

The Clerk read House Joint Resolution No. 8, adopted August 11, 2020.

**\*House Joint Resolution No. 8** -- Memorials, Public Service - Representative Rick Tillis. by \*Faison, \*Lamberth, \*Sexton C, \*Garrett, \*Sherrell, \*Baum, \*Beck, \*Boyd, \*Bricken, \*Byrd, \*Carr, \*Cepicky, \*Chism, \*Clemmons, \*Crawford, \*Curcio, \*Daniel, \*DeBerry, \*Dixie, \*Doggett, \*Dunn, \*Eldridge, \*Farmer, \*Freeman, \*Gant, \*Griffey, \*Grills, \*Hakeem, \*Halford, \*Hall, \*Hardaway, \*Haston, \*Hawk, \*Hazlewood, \*Helton, \*Hicks, \*Hill M, \*Hill T, \*Hodges, \*Holsclaw, \*Holt, \*Howell, \*Hulsey, \*Hurt, \*Jernigan, \*Johnson C, \*Johnson G, \*Keisling, \*Kumar, \*Lafferty, \*Lamar, \*Leatherwood, \*Littleton, \*Lynn, \*Marsh, \*Miller, \*Mitchell, \*Moody, \*Moon, \*Ogles, \*Parkinson, \*Potts, \*Powell, \*Powers, \*Ramsey, \*Reedy, \*Rudd, \*Rudder, \*Russell, \*Sexton J, \*Shaw, \*Smith, \*Sparks, \*Staples, \*Stewart, \*Thompson, \*Tillis, \*Todd, \*Towns, \*Travis, \*Van Huss, \*Vaughan, \*Weaver, \*White, \*Whitson, \*Williams, \*Windle, \*Wright, \*Zachary. (\*Southerland, \*Pody, \*Reeves, \*Hensley)

## **REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 1** -- Tort Liability and Reform - As introduced, enacts "Tennessee COVID-19 Recovery Act." - Amends TCA Title 9, Chapter 8, Part 3; Title 29, Chapter 34; Title 29, Chapter 20 and Title 49, Chapter 7, Part 1. by \*Lamberth, \*Gant, \*Curcio, \*Smith, \*Carr, \*Ramsey, \*Moon, \*Eldridge, \*Keisling, \*Crawford, \*Travis, \*Baum, \*Terry, \*Ragan, \*Marsh, \*Helton, \*Dunn, \*Hawk, \*Powers, \*Bricken, \*Hazlewood, \*Faison, \*Sexton C, \*Byrd, \*Hall, \*White, \*Weaver, \*Sherrell, \*Rudd, \*Howell, \*Sexton J, \*Griffey, \*Grills, \*Todd, \*Wright, \*Littleton, \*Moody, \*Cepicky, \*Ogles, \*Haston, \*Hurt, \*Kumar, \*Zachary, \*Lafferty, \*Russell, \*Lynn, \*Rudder, \*Halford, \*Boyd, \*Whitson, \*Vaughan, \*Sparks, \*Garrett, \*Daniel, \*Holsclaw, \*Reedy, \*Calfee, \*Doggett, \*Holt, \*Johnson C, \*Hicks, \*Cochran, \*Shaw. (SB2 by \*Johnson, \*Bell, \*Yager, \*Rose, \*Bailey, \*Bowling, \*Gardenhire, \*Gresham, \*Kelsey, \*Lundberg, \*Massey, \*Reeves, \*Stevens)

On motion, House Bill No. 1 was made to conform with **Senate Bill No. 2**; the Senate Bill was substituted for the House Bill.

Rep. Lamberth moved that Senate Bill No. 2 be passed on third and final consideration.

Rep. Garrett requested that COVID Related Liability Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Clemmons moved adoption of House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 2 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, is amended by adding the following language as a new part:

**29-34-801.** This part shall be known and may be cited as the "Tennessee Influenza Recovery Act."

**29-34-802.**

(a) As used in this part:

(1) "Arising from influenza" means caused by or resulting from the actual, alleged, or possible exposure to or contraction of the influenza virus, or caused by or resulting from services, treatment, or other actions in response to the influenza virus, including, but not limited to:

(A) Implementing policies and procedures to prevent or minimize the spread of influenza;

(B) Testing;

(C) Monitoring, collecting, reporting, tracking, tracing, disclosing, or investigating influenza exposure or other influenza-related information;

(D) Using, designing, manufacturing, providing, donating, or servicing precautionary, diagnostic, collection, or other health equipment or supplies, such as personal protective equipment;

(E) Closing or partially closing to prevent or minimize the spread of the influenza virus;

(F) Delaying or modifying the schedule or performance of any medical procedure; or

(G) Providing services or products in response to government appeal or repurposing operations to address an

urgent need for personal protective equipment, sanitation products, or other products necessary to protect the public;

(2) "Healthcare provider" means a healthcare practitioner, person, or facility licensed, authorized, certified, registered, or regulated under title 33, title 63, title 68, federal law or order, or an executive order of the governor, including, but not limited to, any employees, agents, or contractors of such a practitioner, person, or facility, and residents, interns, students, fellows, or volunteers of an accredited school or of such school's affiliated teaching or training hospitals or programs in Tennessee;

(3) "Influenza" means human influenza A, B, and C viruses, commonly referred to as the flu; and

(4) "Person" means an individual, healthcare provider, sole proprietorship, corporation, limited liability company, partnership, trust, religious organization, association, nonprofit organization described in § 501(c) of the Internal Revenue Code that is exempt from federal income taxation under § 501(a) of the Internal Revenue Code, 26 U.S.C. § 501(a), or any other legal entity whether formed as a for-profit or not-for-profit entity.

(b) Notwithstanding any law to the contrary, there is no claim against any person for loss, damage, injury, or death arising from influenza, unless the claimant proves by clear and convincing evidence that the person caused the loss, damage, injury, or death by an act or omission constituting gross negligence or willful misconduct.

(c)

(1) In any claim alleging loss, damage, injury, or death arising from influenza, the claimant must file a verified complaint pleading specific facts with particularity from which a finder of fact could reasonably conclude that the alleged loss, damage, injury, or death was caused by the defendant's gross negligence or willful misconduct.

(2) In any claim alleging loss, damage, injury, or death based on exposure to or contraction of influenza, the claimant must also file a certificate of good faith stating that the claimant or claimant's counsel has consulted with a physician duly licensed to practice in the state or a contiguous bordering state, and the physician has provided a signed written statement that the physician is competent to express an opinion on exposure to or contraction of influenza and, upon information and belief, believes that the alleged loss, damage, injury, or death was caused by an alleged act or omission of the defendant or defendants.

(3) The failure of a claimant to satisfy the requirements of subdivisions (c)(1) and (2), if required by subdivision (c)(2), shall, upon motion, make the action subject to dismissal with prejudice.



(d) This part does not:

- (1) Create a cause of action;
- (2) Eliminate a required element of any existing cause of action;
- (3) Affect workers' compensation claims under the Workers' Compensation Law, compiled in title 50, chapter 6, including the exclusive application of such law; or
- (4) Amend, repeal, alter, or affect any immunity, defense, limitation of liability, or procedure available or required under law or contract.

SECTION 2. Tennessee Code Annotated, Section 29-20-205, is amended by adding the following as a new subdivision:

(10) Or in connection with any loss, damage, injury, or death arising from influenza, as defined in § 29-34-802(a), unless the claimant proves by clear and convincing evidence that the loss, damage, injury, or death was caused by an act or omission by the entity or its employees constituting gross negligence. The requirements of § 29-34-802(c) apply to any such cause of action when applicable.

SECTION 3. Tennessee Code Annotated, Section 29-20-310, is amended by adding the following as a new subsection:

(f)

(1) No claim may be brought against an employee or judgment entered against an employee for any loss, damage, injury, or death arising from influenza, as defined in § 29-34-802(a), and proximately caused by an act or omission of the employee within the scope of the employee's employment for which the governmental entity is immune, unless the claimant proves by clear and convincing evidence that the loss, damage, injury, or death was caused by an act or omission that was willful, malicious, criminal, or performed for personal financial gain.

(2)

(A) In any claim alleging loss, damage, injury, or death arising from influenza under this subsection (f), the claimant must file a verified complaint pleading specific facts with particularity from which a finder of fact could reasonably conclude that the alleged loss, damage, injury, or death was caused by the defendant's willful, malicious, or criminal act or omission, or performed for personal financial gain; and

(B) In any claim alleging loss, damage, injury, or death based on exposure to or contraction of influenza under this subsection (f), the claimant must also file with the verified

complaint a certificate of good faith stating that the claimant or claimant's counsel has consulted with a physician duly licensed to practice in the state or a contiguous bordering state, and the physician has provided a signed written statement that the physician is competent to express an opinion on exposure to or contraction of influenza and, upon information and belief, believes that the alleged loss, damage, injury, or death was caused by an act or omission of the defendant or defendants.

(3) The failure of a claimant to satisfy the requirements of subdivisions (f)(1) and (2), if required by subdivision (f)(2), shall, upon motion, make the action subject to dismissal with prejudice.

SECTION 4. Tennessee Code Annotated, Section 9-8-307, is amended by adding the following as a new subsection:

(j) Notwithstanding any other provision of this chapter to the contrary, the state does not waive its sovereign immunity for any loss, damage, injury, or death arising from influenza, as defined in § 29-34-802(a), unless the claimant proves by clear and convincing evidence that the loss, damage, injury, or death was caused by an act or omission of the state or an employee or agent of the state constituting gross negligence. The requirements of § 29-34-802(c) apply to any such cause of action when applicable.

SECTION 5. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section:

There is no cause of action against a public institution of higher education for any loss, damage, injury, or death arising from influenza, as defined in § 29-34-802(a), unless the claimant proves by clear and convincing evidence that the loss, damage, injury, or death was caused by an act or omission of the institution or its employee or agent constituting gross negligence or willful misconduct. The requirements of § 29-34-802(c) apply to any such cause of action when applicable.

SECTION 6. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 7.

(a) This act shall take effect upon becoming a law, the public welfare requiring it, and unless otherwise prohibited by the United States or Tennessee Constitution, this act applies to all claims arising from influenza except those in which, on or before August 3, 2020:

(1) A complaint or civil warrant was filed;

(2) Notice of a claim was given pursuant to § 9-8-402; or

(3) Notice was satisfied pursuant to § 29-26-121(a)(3).

(b) This act is repealed on July 1, 2022, but continues to apply to any loss, illness, injury, or death occurring before that date to which none of the exceptions listed in subdivisions (a)(1)-(3) apply.

Rep. Vaughan moved the previous question on House Amendment No. 2, which motion prevailed.

On motion, House Amendment No. 2 failed by the following vote:

Ayes ..... 19  
Noes..... 72

Representatives voting aye were: Beck, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Miller, Mitchell, Potts, Powell, Shaw, Staples, Stewart, Towns--19

Representatives voting no were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Cochran, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Thompson, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--72

Rep. Stewart moved adoption of House Amendment No. 3 as follows:

**Amendment No. 3**

AMEND Senate Bill No. 2 by adding the following language as a new, appropriately designated section in the amendatory language of Section 1:

**29-34-8\_\_.**

The court shall stay the proceedings in any detainer warrant action or eviction proceeding for a period of one hundred twenty (120) days if the tenant presents to the court medical documentation of a positive test result for COVID-19 dated within the previous ten (10) days, written documentation from a medical professional demonstrating that the tenant is currently under quarantine for COVID-19, or written documentation of unemployment related to COVID-19.

Rep. Williams moved the previous question on House Amendment No. 3 , which motion prevailed.

On motion, House Amendment No. 3 failed by the following vote:

Ayes .....	18
Noes.....	71
Present and not voting.....	1

Representatives voting aye were: Chism, Clemmons, Dixie, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Miller, Mitchell, Potts, Shaw, Staples, Stewart, Thompson, Towns, Windle--18

Representatives voting no were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Cochran, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--71

Representatives present and not voting were: Beck--1

Rep. Garrett moved that COVID Related Liability Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Crawford moved the previous question, which motion prevailed by the following vote:

Ayes .....	70
Noes.....	20

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Cochran, Crawford, Curcio, Daniel, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--70

Representatives voting no were: Beck, Chism, Clemmons, Dixie, Dunn, Freeman, Hakeem, Hardaway, Jernigan, Johnson G, Lamar, Miller, Mitchell, Potts, Powell, Staples, Stewart, Thompson, Towns, Windle--20

Rep. Lamberth moved that **Senate Bill No. 2** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	80
Noes.....	10
Present and not voting.....	1

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Chism, Cochran, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks,

Hill M, Hill T, Holsclaw, Holt, Howell, Hulse, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Moody, Moon, Ogles, Potts, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--80

Representatives voting no were: Beck, Clemmons, Dixie, Hakeem, Hardaway, Johnson G, Mitchell, Powell, Stewart, Towns--10

Representatives present and not voting were: Jernigan--1

A motion to reconsider was tabled.

**\*House Bill No. 5 -- Criminal Offenses -** As introduced, revises certain criminal laws impacting peaceful demonstrations; authorizes the attorney general to investigate and prosecute crimes when the victim is a state employee, state property was damaged, or the administration of state government was delayed as a result of the crime. - Amends TCA Title 8; Title 38; Title 39 and Title 40. by \*Lamberth, \*Gant, \*Hurt, \*Crawford, \*Smith, \*Faison, \*Sexton C, \*Byrd, \*Hall, \*Weaver, \*White, \*Sherrell, \*Rudd, \*Howell, \*Hulse, \*Griffey, \*Todd, \*Sexton J, \*Garrett, \*Wright, \*Grills, \*Littleton, \*Moody, \*Cepicky, \*Ogles, \*Haston, \*Kumar, \*Zachary, \*Lafferty, \*Russell, \*Lynn, \*Rudder, \*Halford, \*Boyd, \*Whitson, \*Vaughan, \*Ramsey, \*Moon, \*Carr, \*Eldridge, \*Keisling, \*Travis, \*Ragan, \*Helton, \*Marsh, \*Hawk, \*Bricken, \*Powers, \*Hawlewood, \*Cochran, \*Doggett, \*Terry, \*Williams, \*Hill T, \*Holsclaw, \*Tillis, \*Daniel. (SB5 by \*Johnson, \*Stevens, \*Yager, \*Rose, \*Bailey, \*Bowling, \*Gardenhire, \*Gresham, \*Jackson, \*Reeves)

Further consideration of House Bill No. 5, previously considered on today's Regular Calendar.

Rep. Lamberth requested that House Bill No. 5 be moved to the heel of the Regular Calendar, which motion prevailed.

**\*House Bill No. 6 -- Local Government, General -** As introduced, prohibits a governmental entity from intentionally preventing or prohibiting law enforcement or fire and rescue services from accessing a specifically bounded area within the governmental entity's jurisdiction during a public demonstration; declares a governmental entity may be held liable for injury proximately caused by the governmental entity intentionally preventing or prohibiting law enforcement or fire and rescue services from accessing a specifically bounded area during a public demonstration. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 29 and Title 38. by \*Ogles, \*Dunn, \*Daniel, \*Hill M, \*Gant, \*Todd, \*White, \*Moody, \*Travis, \*Williams, \*Ragan, \*Sexton J, \*Helton, \*Bricken, \*Halford, \*Hall, \*Reedy, \*Kumar, \*Van Huss, \*Lynn, \*Byrd, \*Eldridge, \*Doggett, \*Griffey, \*Wright, \*Littleton, \*Russell, \*Garrett, \*Lafferty, \*Hulse, \*Rudder, \*Terry, \*Powers, \*Keisling, \*Rudd, \*Holt, \*Grills, \*Smith, \*Sherrell, \*Hill T, \*Marsh, \*Ramsey, \*Zachary, \*Hurt, \*Sparks, \*Weaver, \*Cochran, \*Farmer, \*Carr, \*Baum, \*Cepicky, \*Crawford. (SB1 by \*Hensley, \*Bowling, \*Gresham, \*Rose, \*Stevens)

On motion, House Bill No. 6 was made to conform with **Senate Bill No. 1**; the Senate Bill was substituted for the House Bill.

Rep. Ogles moved that Senate Bill No. 1 be passed on third and final consideration.

Rep. Farmer requested that Public Safety Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Clemmons moved adoption of House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 1 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 20, Part 2, is amended by adding the following language as new sections:

29-20-210.

(a) As used in this section, "governmental entity" means a governing body, board, commission, committee, or department of a municipality, county, or other political subdivision of this state.

(b) A governmental entity shall not intentionally prohibit or prevent law enforcement or fire and rescue services from accessing a specifically bounded area within the governmental entity's jurisdiction during a public demonstration unless the services are replaced by like services provided by another governmental entity.

(c) A governmental entity violating subsection (b) may be held liable for damages, injury, or death proximately caused by the governmental entity intentionally prohibiting or preventing law enforcement or fire and rescue services from accessing a specifically bounded area within the governmental entity's jurisdiction during a public demonstration.

(d) This section does not apply to tactical decisions made by law enforcement or fire and rescue services personnel based on the risks to or safety of personnel.

29-20-211.

(a) Notwithstanding the Tennessee Employment Security Law, compiled in title 50, chapter 7, or any other law, the department of labor and workforce development shall:

(1) Process an individual's unemployment claim within twenty (20) days of receipt of an individual's online application, application by telephone, or paper application; and

(2) Deliver unemployment funds to a claimant within thirty (30) days of receipt of an individual's online application or application by telephone, or within twenty (20) days of receipt of a paper application. The department shall notify a claimant of the claimant's rights under

subsection (b) if the delivery of unemployment funds is delayed in violation of this subdivision (a)(2).

(b) If the department violates subsection (a), then a claimant may bring a cause of action against the department for the violation. Damages include, but are not limited to, compensatory damages and back pay with interest at a rate in accordance with § 47-14-121, with the interest accruing as of the date of the violation. The department shall post a notice of the claimant's rights to a cause of action against the department on the department's website.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Faison moved the previous question on House Amendment No. 2, which motion prevailed by the following vote:

Ayes .....	68
Noes.....	19

Representatives voting aye were: Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Clemmons, Crawford, Curcio, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Towns, Travis, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--68

Representatives voting no were: Beck, Chism, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Miller, Mitchell, Potts, Powell, Staples, Stewart, Thompson, Van Huss, Windle--19

On motion, House Amendment No. 2 failed by the following vote:

Ayes .....	20
Noes.....	69

Representatives voting aye were: Beck, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Miller, Mitchell, Potts, Powell, Staples, Stewart, Thompson, Towns, Windle--20

Representatives voting no were: Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--69

Rep. Curcio moved that House Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Farmer moved that Public Safety Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Powers moved the previous question, which motion prevailed by the following vote:

Ayes .....	70
Noes.....	19

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Cepicky, Cochran, Crawford, Curcio, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulse, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--70

Representatives voting no were: Beck, Clemmons, DeBerry, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Miller, Mitchell, Potts, Powell, Shaw, Staples, Stewart, Thompson, Towns--19

Rep. Ogles moved that **Senate Bill No. 1** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	68
Noes.....	19
Present and not voting.....	1

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Crawford, Curcio, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulse, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--68

Representatives voting no were: Beck, Chism, Clemmons, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Miller, Mitchell, Potts, Powell, Shaw, Staples, Stewart, Thompson, Towns--19

Representatives present and not voting were: DeBerry--1

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "no" on **Senate Bill No. 1** and have this statement entered in the Journal: Rep. Dixie.



**\*House Bill No. 5** -- Criminal Offenses - As introduced, revises certain criminal laws impacting peaceful demonstrations; authorizes the attorney general to investigate and prosecute crimes when the victim is a state employee, state property was damaged, or the administration of state government was delayed as a result of the crime. - Amends TCA Title 8; Title 38; Title 39 and Title 40. by \*Lamberth, \*Gant, \*Hurt, \*Crawford, \*Smith, \*Faison, \*Sexton C, \*Byrd, \*Hall, \*Weaver, \*White, \*Sherrell, \*Rudd, \*Howell, \*Hulsey, \*Griffey, \*Todd, \*Sexton J, \*Garrett, \*Wright, \*Grills, \*Littleton, \*Moody, \*Cepicky, \*Ogles, \*Haston, \*Kumar, \*Zachary, \*Lafferty, \*Russell, \*Lynn, \*Rudder, \*Halford, \*Boyd, \*Whitson, \*Vaughan, \*Ramsey, \*Moon, \*Carr, \*Eldridge, \*Keisling, \*Travis, \*Ragan, \*Helton, \*Marsh, \*Hawk, \*Bricken, \*Powers, \*Hazlewood, \*Cochran, \*Doggett, \*Terry, \*Williams, \*Hill T, \*Holsclaw, \*Tillis, \*Daniel. (SB5 by \*Johnson, \*Stevens, \*Yager, \*Rose, \*Bailey, \*Bowling, \*Gardenhire, \*Gresham, \*Jackson, \*Reeves)

Further consideration of House Bill No. 5, previously considered on today's Regular Calendar.

On motion, House Bill No. 5 was made to conform with **Senate Bill No. 5**; the Senate Bill was substituted for the House Bill.

Rep. Lamberth moved that Senate Bill No. 5 be passed on third and final consideration.

Rep. Farmer requested that Public Safety Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Lynn moved adoption of Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

### **Amendment No. 2**

AMEND Senate Bill No. 5 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-11-106(a)(38), is amended by adding the following as a new subdivision (E):

(E) For a violation of § 39-14-408(b)(1), the value of the property includes the fair market value of repairing, cleaning, and restoring the property;

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 13, Part 1, is amended by adding the following language as a new section:

39-13-116.

(a) A person commits assault against a first responder, who is discharging or attempting to discharge the first responder's official duties, who:

(1) Knowingly causes bodily injury to a first responder; or

(2) Knowingly causes physical contact with a first responder and a reasonable person would regard the contact as extremely offensive or provocative, including, but not limited to, spitting, throwing, or otherwise

transferring bodily fluids, bodily pathogens, or human waste onto the person of a first responder.

(b) A person commits aggravated assault against a first responder, who is discharging or attempting to discharge the first responder's official duties, who knowingly commits an assault under subsection (a), and the assault:

- (1) Results in serious bodily injury to the first responder;
- (2) Results in the death of the first responder;
- (3) Involved the use or display of a deadly weapon; or
- (4) Involved strangulation or attempted strangulation.

(c)

(1) Assault under subsection (a) is a Class A misdemeanor, and shall be punished by a mandatory fine of five thousand dollars (\$5,000) and a mandatory minimum sentence of thirty (30) days incarceration. The defendant shall not be eligible for release from confinement until the defendant has served the entire thirty-day mandatory minimum sentence.

(2) Aggravated assault under subsection (b) is a Class C felony, and shall be punished by a mandatory fine of fifteen thousand dollars (\$15,000) and a mandatory minimum sentence of ninety (90) days incarceration. The defendant shall not be eligible for release from confinement until the defendant has served the entire ninety-day mandatory minimum sentence.

(d) For purposes of this section, "first responder":

(1) Means a firefighter, emergency services personnel, POST-certified law enforcement officer, or other person who responds to calls for emergency assistance from a 911 call; and

(2) Includes capitol police officers, Tennessee highway patrol officers, Tennessee bureau of investigation agents, Tennessee wildlife resources agency officers, and park rangers employed by the division of parks and recreation in the department of environment and conservation.

SECTION 3. Tennessee Code Annotated, Section 39-13-102(e)(1)(B), is amended by deleting the subdivision and substituting the following:

(B) Notwithstanding the authorized fines established in § 40-35-111, a violation of this section is punishable by a fine not to exceed fifteen thousand dollars (\$15,000), in addition to any other punishment authorized by § 40-35-111.

SECTION 4. Tennessee Code Annotated, Section 39-14-406(a), is amended by adding the following as a new subdivision (4):

(4) The person, while on the property, recklessly damages the property or personal property thereon.

SECTION 5. Tennessee Code Annotated, Section 39-14-406(c), is amended by deleting the subdivision and substituting instead the following:

(1) Aggravated criminal trespass is a Class B misdemeanor except as provided in subdivisions (c)(2) and (3).

(2) Aggravated criminal trespass that was committed in a habitation, in a building of any hospital, on state property, or on the campus, property, or facilities of any private or public school is a Class A misdemeanor.

(3) Aggravated criminal trespass is a Class E felony when committed:

(A) On residential property belonging to or occupied by a law enforcement officer, active duty member of the military, judge, or elected or appointed federal, state, or local official; and

(B) With intent to harass a person described in subdivision (c)(3)(A) due to the person's status as a law enforcement officer, active duty member of the military, judge, or elected or appointed federal, state, or local official.

SECTION 6. Tennessee Code Annotated, Section 39-14-408(a)(1), is amended by adding the following as a new subdivision (E):

(E) Intentionally marring, marking upon, or defacing, in a temporary or permanent manner, state or local government property or any entrance or curtilage to or fixture on the property, with the exception of temporary marking of sidewalks;

SECTION 7. Tennessee Code Annotated, Section 39-14-408, is amended by deleting subdivision (c)(1) and substituting instead the following:

(1)

(A) A person violating subdivision (b)(1) or (b)(3) is a principal under § 39-11-401 and shall be punished as for theft under § 39-14-105, after determining value under § 39-11-106.

(B) In addition to any sentence imposed for a violation of subdivision (b)(1) or (b)(3), the court shall include an order of restitution for any property damage or loss or cleaning and restoration expenses incurred as a result of the offense.

SECTION 8. Tennessee Code Annotated, Section 39-14-408(c), is amended by adding the following as a new subdivision (5):

(5) Notwithstanding subdivision (c)(1)(A), a person violating subdivision (b)(1) by intentionally marring, marking upon, or defacing, in a temporary or

permanent manner, state or local government property or any entrance or curtilage to or fixture on state or local government property, where the value determination under § 39-11-106 is less than two thousand five hundred dollars (\$2,500), commits a Class A misdemeanor, unless the state or local government property is designated as a historic landmark or listed on the national register of historic places, in which case the violation shall be punished in accordance with subdivision (c)(1). In addition, a second or subsequent violation of subdivision (b)(1) with respect to state or local government property shall be punished by a mandatory fine of five thousand dollars (\$5,000).

SECTION 9. Tennessee Code Annotated, Section 39-17-301(2)(A), is amended by deleting the language "Assembling with or joining" and substituting instead the language "Joining".

SECTION 10. Tennessee Code Annotated, Section 39-17-301(2)(B), is amended by deleting the language "Being present,".

SECTION 11. Tennessee Code Annotated, Section 39-17-302, is amended by deleting subsection (b) and substituting instead the following:

(b) A violation of this section is a Class A misdemeanor. In any sentence imposed for a violation of this section, the court shall include a mandatory minimum sentence of thirty (30) days of incarceration and an order of restitution for any property damage or loss incurred as a result of the offense.

SECTION 12. Tennessee Code Annotated, Section 39-17-303, is amended by deleting subsection (b) and substituting instead the following:

(b) A violation of this section is a Class E felony. In any sentence imposed for a violation of this section, the court shall include a mandatory minimum sentence of forty-five (45) days of incarceration. In any sentence imposed for a violation of this section, the court shall include an order of restitution for any injury, property damage, or loss incurred as a result of the offense.

SECTION 13. Tennessee Code Annotated, Section 39-17-304, is amended by deleting subsection (b) and substituting instead the following:

(b) A violation of this section is a Class A misdemeanor. In any sentence imposed for a violation of this section, the court shall include an order of restitution for any property damage or loss incurred as a result of the offense.

SECTION 14. Tennessee Code Annotated, Section 39-17-306, is amended by deleting subsection (b) and substituting instead the following:

(b) A violation of this section is a Class A misdemeanor.

SECTION 15. Tennessee Code Annotated, Section 39-17-307, is amended by deleting subsection (c) and substituting instead the following:

(1) A violation of subdivision (a)(1) is a Class A misdemeanor.

(2) A violation of subdivision (a)(2) is a Class C misdemeanor.

(3) Notwithstanding subdivision (c)(1), a violation of subdivision (a)(1) is a Class E felony if the obstruction prevents an emergency vehicle from accessing a highway or street, the obstruction prevents a first responder from responding to an emergency, or if the obstruction prevents access to an emergency exit. For purposes of this subdivision (c)(3):

(A) "Emergency vehicle" means any vehicle of a governmental department or public service corporation when responding to an emergency, any vehicle of a police or fire department, and any ambulance;

(B) "Emergency exit" means a doorway in a building or facility used for egress to the outdoors only when there is an immediate threat to the health or safety of an individual; and

(C) "First responder" has the same definition as used in § 39-13-116(d).

SECTION 16. Tennessee Code Annotated, Section 39-14-412, is amended by deleting subsection (c) and substituting instead the following:

(c)

(1) A violation of subsection (a) is a Class B misdemeanor. All violations shall be punished by at least twenty-five (25) hours of community service work to be determined by the court.

(2) A violation of subsection (b) is a Class A misdemeanor. In any sentence imposed for a violation of subsection (b), the court shall include an order of restitution for any property damage or loss incurred as a result of the offense.

SECTION 17. Tennessee Code Annotated, Section 39-14-414, is amended by deleting subsection (b) and substituting instead the following:

(b) As used in this section, "camping" means:

(1) Any of the following at any time between ten o'clock p.m. (10:00 p.m.) and seven o'clock a.m. (7:00 a.m.):

(A) Erecting, placing, maintaining, leaving, allowing to remain, or using a piece of furniture, tent, raised tarp, or other temporary shelter, structure, or furniture;

(B) Placing or storing personal belongings for future use, including storing food for consumption; or

(C) Carrying on cooking activities, whether by fire or use of artificial means, such as a propane stove or other heat-producing portable cooking equipment;

(2) Sleeping or making preparations to sleep, including laying down a sleeping bag, blanket, or other material used for bedding

(3) Making a fire or preparing to make a fire; or

(4) Doing any digging or earth breaking.

SECTION 18. Tennessee Code Annotated, Section 39-14-414(d), is amended by deleting the subsection and substituting instead the following:

(d)

(1) It is an offense for a person to engage in camping on property owned by the state knowing that the area on which the camping occurs is not specifically designated for use as a camping area by the department or agency responsible for the land.

(2) The department, agency, official, or officials responsible for the operation, protection, or maintenance of the property may designate an area as a camping area by means of signage, advertisement, or other notice designed to make known its availability for camping. However, a person shall not be guilty of a violation of subdivision (d)(1) unless the person was notified by an official responsible for the protection of the property in question that camping is prohibited and continued to engage in camping or returned within twenty-four (24) hours of the warning and continued to engage in camping.

(3) A person is not guilty of a violation of subdivision (d)(1) if the person was given permission or authorization by the department, agency, or official responsible for the operation, protection, or maintenance of the property to engage in camping on the property.

(4) Any items used to commit a violation of this section, including items abandoned at the location of the offense, are subject to confiscation, seizure, and claiming in accordance with subsection (e).

SECTION 19. Tennessee Code Annotated, Section 39-14-414(e), is amended by deleting the subsection and substituting instead the following:

(e) Any property subject to confiscation or seizure under subsection (d), unclaimed in connection with a violation of subsection (d), or left unattended after arrest or issuance of a citation for camping in violation of subsection (d), and taken into state custody shall be held by the state agency or its agent in a secure location for a period of ninety (90) days. Notice containing the contact information of the state agency or agent holding the property must be posted at the nearest reasonable location to the place from which the property was removed. If the property is not claimed within ninety (90) days of being taken into custody,

the property is deemed abandoned and the agency or agent may dispose of the property, unless the property is needed for evidence in a criminal proceeding. If a person claiming any such property within ninety (90) days of the property being taken into custody produces identification and signs a release form providing the person's name and contact information and swearing under oath that the property belongs to the person, the state agency or agent shall return the property to the person, unless the property is needed for evidence in a criminal proceeding, in which case the property shall be returned following the conclusion of that proceeding. The state agency or agent may charge such persons a reasonable storage fee for storing the property. The state and its employees, agents, and contractors are immune from liability for property confiscated in compliance with this subsection (e).

SECTION 20. Tennessee Code Annotated, Section 39-14-414, is amended by deleting subsection (f) and substituting instead the following:

(f) A violation of this section is a Class E felony. In any sentence imposed for a violation of this section, the court shall include an order of restitution for any property damage or loss incurred as a result of the offense.

SECTION 21. Tennessee Code Annotated, Title 40, Chapter 11, Part 1, is amended by adding the following new section:

40-11-153.

(a) Any defendant arrested for the offense of unauthorized camping on state property, as defined in § 39-14-414; vandalism, as described in § 39-14-408(b)(1); rioting, as defined in § 39-17-302; aggravated rioting, as defined in § 39-17-303; inciting to riot, as defined in § 39-17-304; disrupting a meeting or procession, as described in § 39-17-306; or obstructing a highway, as described in § 39-17-307(a)(1) shall not be released within twelve (12) hours of the time of arrest. The magistrate or other official duly authorized to release the defendant may, however, release the defendant in less than twelve (12) hours if the official finds that the defendant is not likely to immediately resume the criminal behavior based on the circumstances of the arrest and the defendant's prior criminal history, if any.

(b) The findings of the magistrate or other official duly authorized to release the defendant must be reduced to writing. The written findings must be attached to the warrant and shall be preserved as a permanent part of the record. The arresting officer shall make official note of the time of the arrest in order to establish the beginning of the twelve-hour period required by this section.

SECTION 22. Tennessee Code Annotated, Section 38-6-102(b)(2), is amended by adding the following new subdivision:

(F) The bureau is also authorized, in consultation with the appropriate department or agency, to conduct an investigation into a violation of a criminal offense:

(i) In which the victim of the offense is a state employee or contractor who was acting in the employee or contractor's official capacity at the time of the offense;

(ii) That resulted in state property being damaged or destroyed as a result of the offense; or

(iii) That delayed the administration of state government at a significant cost to the state.

SECTION 23. On or before January 1, 2022, the district attorneys general conference shall file a report with the speakers of the senate and house of representatives and the chairs of the judiciary committees of the senate and house of representatives detailing by geographic location within this state:

(1) The aggregate number of reports of potential violations of criminal offenses described in subdivision (F) in Section 22 of this act;

(2) The action taken by the appropriate district attorney for each report; and

(3) The legal disposition of any case resulting from each report.

SECTION 24. Tennessee Code Annotated, Section 39-16-515, is amended by deleting subsection (c) and substituting instead the following:

(c) It is an offense for a person to knowingly shine or aim a light, laser, horn, or other mechanism towards the head of a law enforcement officer, firefighter, emergency medical technician, or other emergency service personnel while the individual is in the performance of the individual's official duties with intent to cause bodily injury.

(d)

(1) A violation of subsection (a) is a Class A misdemeanor.

(2) A violation of subsection (c) is a Class A misdemeanor, and includes a mandatory fine of five thousand dollars (\$5,000) and a mandatory minimum sentence of thirty (30) days incarceration. The defendant shall not be eligible for release from confinement until the defendant has served the entire thirty-day mandatory minimum sentence.

SECTION 25. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 26. This act shall take effect September 15, 2020, the public welfare requiring it, and applies to offenses committed on or after that date.



On motion, Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Van Huss moved adoption of House Amendment No. 3 as follows:

**Amendment No. 3**

AMEND Senate Bill No. 5 by deleting the effective date section and substituting instead the following:

SECTION \_\_\_\_\_. This act shall take effect upon becoming a law, the public welfare requiring it, and applies to offenses committed on or after that date.

On motion, House Amendment No. 3 was adopted.

Rep. Clemmons moved adoption of House Amendment No. 4 as follows:

**Amendment No. 4**

AMEND Senate Bill No. 5 by deleting all language after the caption and substituting instead the following:

WHEREAS, Tennesseans have the right to engage in peaceful assembly and protests, and many peaceful protests and demonstrations have occurred across Tennessee in recent weeks, including on and around government property; and

WHEREAS, the rights to free speech and assembly are guaranteed under the First Amendment to the United States Constitution; and

WHEREAS, recent overnight camping and a constant presence of citizens on the War Memorial Plaza are the result of Governor Bill Lee's refusal to meet with Tennessee citizens and discuss issues concerning social justice; and

WHEREAS, Governor Bill Lee's refusal to meet with and speak to his fellow Tennesseans and his orders for the Tennessee Highway Patrol to provide twenty-four-hour security have cost taxpayers hundreds of thousands of dollars; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-11-106(a)(38), is amended by adding the following as a new subdivision (E):

(E) For a violation of § 39-14-408(b)(1), the value of the property includes the fair market value of repairing, cleaning, and restoring the property;

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 13, Part 1, is amended by adding the following language as a new section:

(a) A person commits assault against a first responder, if the person violates § 39-13-101 and the victim is a first responder, who is discharging or attempting to discharge the first responder's official duties.

(b) A person commits aggravated assault against a first responder, if the person violates § 39-13-102 and the victim is a first responder, who is discharging or attempting to discharge the first responder's official duties.

(c)

(1) Assault under subsection (a) is a Class A misdemeanor punishable by incarceration and a fine not to exceed fifteen thousand dollars (\$15,000).

(2) Aggravated assault under subsection (b) is a Class C felony punishable by incarceration and a fine of fifteen thousand dollars (\$15,000).

(d) For purposes of this section, "first responder":

(1) Means a law enforcement officer, firefighter, medical care responder, paramedic, emergency medical technician, healthcare provider, or other person who responds to calls for emergency assistance from a 911 call; and

(2) Includes capitol police officers, Tennessee highway patrol officers, Tennessee bureau of investigation agents, Tennessee wildlife resources agency officers, and park rangers employed by the division of parks and recreation in the department of environment and conservation.

SECTION 3. Tennessee Code Annotated, Section 39-14-408, is amended by deleting subdivision (c)(1) and substituting instead the following:

(1)

(A) A person violating subdivision (b)(1) or (b)(3) is a principal under § 39-11-401 and shall be punished as for theft under § 39-14-105, after determining value under § 39-11-106.

(B) In addition to any sentence imposed for a violation of subdivision (b)(1) or (b)(3), the court shall include an order of restitution for any property damage or loss incurred as a result of the offense.

SECTION 4. Tennessee Code Annotated, Section 39-17-301(2)(A), is amended by deleting the language "Assembling with or joining" and substituting instead the language "Joining".

SECTION 5. Tennessee Code Annotated, Section 39-17-301(2)(B), is amended by deleting the language "Being present,".

SECTION 6. Tennessee Code Annotated, Section 39-14-412, is amended by deleting subsection (c) and substituting instead the following:

(c)

(1) A violation of subsection (a) is a Class B misdemeanor. All violations shall be punished by at least twenty-five (25) hours of community service work to be determined by the court.

(2) A violation of subsection (b) is a Class A misdemeanor. In any sentence imposed for a violation of subsection (b), the court shall include an order of restitution for any property damage or loss incurred as a result of the offense.

SECTION 7. Tennessee Code Annotated, Section 39-14-414, is amended by deleting subsection (b) and substituting instead the following:

(b) As used in this section, "camping" means at any time between ten o'clock p.m. (10:00 p.m.) and seven o'clock a.m. (7:00 a.m.):

(1) Erecting or using a tent, raised tarp, or other temporary shelter or structure;

(2) Sleeping or making preparation to sleep, including laying down a sleeping bag, blanket, or other material used for bedding;

(3) Carrying on cooking activities, whether by fire or use of artificial means, such as a propane stove or other heat-producing portable cooking equipment;

(4) Making a fire or preparing to make a fire; or

(5) Doing any digging or earth breaking.

SECTION 8. Tennessee Code Annotated, Section 39-14-414(d), is amended by deleting the subsection and substituting instead the following:

(d)

(1) It is an offense for a person to engage in camping on property owned by the state knowing that the area on which the camping occurs is not specifically designated for use as a camping area by the department or agency responsible for the land.

(2) The department, agency, official, or officials responsible for the operation, protection, or maintenance of the property may designate an area as a camping area by means of signage, advertisement, or other notice designed to make known its availability for camping. However, a person is not guilty of a violation of subdivision (d)(1) unless the person received a warning not to engage in camping from an official responsible for the protection of the property in question and continued to engage in camping or returned within twenty-four (24) hours of the warning to continue to engage in camping.

(3) A person is not guilty of a violation of subdivision (d)(1) if the person was given permission or authorization by the department, agency, official, or officials responsible for the operation, protection, or maintenance of the property to engage in camping on the property.

(4) Any items used to commit a violation of this section, including items abandoned at the location of the offense, are subject to confiscation, seizure, and claiming in accordance with subsection (e) if the items are not removed within twenty-four (24) hours of a warning first being provided.

SECTION 9. Tennessee Code Annotated, Section 39-14-414(e), is amended by deleting the subsection and substituting instead the following:

(e) Any property subject to confiscation or seizure under subsection (d), unclaimed in connection with a violation of subsection (d), or left unattended after arrest or issuance of a citation for camping in violation of subsection (d), and taken into state custody must be held by the state agency or its agent in a secure location for a period of ninety (90) days. Notice containing the contact information of the state agency or agent holding the property must be posted at the nearest reasonable location to the place from which the property was removed. If the property is not claimed within ninety (90) days of being taken into custody, the property is deemed abandoned and the agency or agent may dispose of the property, unless the property is needed for evidence in a criminal proceeding. If a person claiming the property within ninety (90) days of the property being taken into custody produces identification and signs a release form providing the person's name and contact information and swearing under oath that the property belongs to the person, then the state agency or agent shall return the property to the person, unless the property is needed for evidence in a criminal proceeding, in which case the property must be returned following the conclusion of that proceeding. The state, and its employees, agents, and contractors, are immune from liability for confiscation of property if the state, and its employees, agents, or contractors acted in compliance with subdivision (d)(4) and this subsection (e).

SECTION 10. This act shall take effect October 1, 2020, the public welfare requiring it, and applies to offenses committed on or after that date.

Rep. White moved the previous question on House Amendment No. 4, which motion prevailed by the following vote:

Ayes .....	65
Noes .....	25

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Crawford, Curcio, Daniel, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Terry, Tillis, Todd, Travis, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--65

Representatives voting no were: Beck, Chism, Clemmons, DeBerry, Dixie, Dunn, Freeman, Hakeem, Hardaway, Hodges, Holt, Jernigan, Johnson G, Lamar, Miller, Mitchell, Potts, Powell, Shaw, Staples, Stewart, Thompson, Towns, Van Huss, Windle--25

On motion, House Amendment No. 4 failed by the following vote:

Ayes .....	20
Noes .....	71

Representatives voting aye were: Beck, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Miller, Mitchell, Potts, Powell, Shaw, Staples, Stewart, Thompson, Towns--20

Representatives voting no were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--71

Rep. Mitchell moved adoption of House Amendment No. 5 as follows:

#### **Amendment No. 5**

AMEND Senate Bill No. 5 by deleting Section 26 and substituting instead the following:

SECTION 26. Notwithstanding any other law to the contrary, the attorney general and reporter shall conduct an investigation into the adoption and implementation of the Tennessee Education Savings Account Pilot Program Act (ESA Program), compiled in Tennessee Code Annotated, Title 49, Chapter 6, Part 26, for any and all crimes that may have been committed by a public official at any time during the legislative adoption of the ESA Program or during the implementation of the ESA Program by, or on behalf of, the state of Tennessee. The investigation required under this section must be commenced by the attorney general and reporter no later than five (5) calendar days after the date on which this act goes into effect.

SECTION 27. Sections 1-25 of this act shall take effect October 1, 2020, the public welfare requiring it, and apply to offenses committed on or after that date. Section 26 of this act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Moody moved the previous question on House Amendment No. 5, which motion prevailed.

On motion, House Amendment No. 5 failed by the following vote:

Ayes .....	20
Noes.....	70
Present and not voting.....	1

Representatives voting aye were: Beck, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Miller, Mitchell, Potts, Powell, Shaw, Staples, Stewart, Thompson, Towns--20

Representatives voting no were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--70

Representatives present and not voting were: Windle--1

Rep. Farmer moved that Public Safety Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lamberth moved that the House consider House Amendment No.6 pursuant to **Rule No. 60 (B)**, which motion prevailed by the following vote:

Ayes .....	77
Noes.....	11
Present and not voting.....	1

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Chism, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--77

Representatives voting no were: Clemmons, Dixie, Hakeem, Hardaway, Hodges, Johnson G, Mitchell, Potts, Powell, Shaw, Stewart--11

Representatives present and not voting were: Lamar--1

Rep. Lamberth moved adoption of House Amendment No. 6 as follows:

#### **Amendment No. 6**

AMEND Senate Bill No. 5 by deleting the effective date section and substituting instead the following:

SECTION \_\_\_\_\_. This act shall take effect upon becoming a law, the public welfare requiring it, and applies to offenses committed after that date.

On motion, House Amendment No. 6 was adopted by the following vote:

Ayes ..... 73  
Noes ..... 17

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Crawford, Curcio, Daniel, DeBerry, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--73

Representatives voting no were: Beck, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Mitchell, Potts, Powell, Staples, Stewart, Towns--17

Rep. Powers moved the previous question, which motion prevailed by the following vote:

Ayes ..... 68  
Noes ..... 22

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Crawford, Curcio, Daniel, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Travis, Vaughan, Weaver, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--68

Representatives voting no were: Beck, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Miller, Mitchell, Potts, Powell, Shaw, Staples, Stewart, Thompson, Towns, Van Huss, Windle--22

Rep. Lamberth moved that **Senate Bill No. 5**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 71  
Noes ..... 20

Representatives voting aye were: Baum, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Crawford, Curcio, Daniel, DeBerry, Doggett, Dunn, Eldridge, Faison, Farmer, Gant, Garrett, Griffey, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Holsclaw, Holt, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Sherrell, Smith, Sparks, Terry, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--71

Representatives voting no were: Beck, Chism, Clemmons, Dixie, Freeman, Hakeem, Hardaway, Hodges, Jernigan, Johnson G, Lamar, Miller, Mitchell, Potts, Powell, Shaw, Staples, Stewart, Thompson, Towns--20

A motion to reconsider was tabled.

### **SPECIAL ORDER**

Without objection, Rep. Lamberth moved to take up Consent Calendar No. 2 at this time as follows:

### **CONSENT CALENDAR NO. 2**

**House Resolution No. 7** -- Memorials, Recognition - Dr. William E. (Bill) Owens, 50th anniversary in the ministry. by \*Helton.

**House Resolution No. 8** -- Memorials, Recognition - Jonathan M. Metz, 2020 Robert F. Kennedy Book Award. by \*Clemmons.

**\*House Joint Resolution No. 28** -- Memorials, Recognition - Dr. William E. (Bill) Owens, 50th anniversary in the ministry. by \*Helton.

**\*House Joint Resolution No. 29** -- Memorials, Academic Achievement - Henry Coen, Valedictorian, Roane County High School. by \*Calfee.

**\*House Joint Resolution No. 30** -- Memorials, Academic Achievement - Keylon Reynolds, Salutatorian, Roane County High School. by \*Calfee.

**\*House Joint Resolution No. 31** -- Memorials, Personal Occasion - Louise Anderson Warmley, 100th birthday. by \*Calfee.

**\*Senate Joint Resolution No. 20** -- Memorials, Recognition - Cindy Kelley. by \*Southerland.

**\*Senate Joint Resolution No. 21** -- Memorials, Recognition - Don and Pat Merzlake. by \*Southerland.

**\*Senate Joint Resolution No. 22** -- Memorials, Professional Achievement - Dr. Benjamin D. Caton III, Teacher of the Year, Tennessee Music Teachers Association. by \*Crowe, \*Southerland.

**\*Senate Joint Resolution No. 23** -- Memorials, Recognition - Tennessee Farmers Cooperative, 75th anniversary. by \*Haile, \*Bailey, \*Bell, \*Niceley, \*Akbari, \*Bowling, \*Briggs, \*Crowe, \*Dickerson, \*Gardenhire, \*Gilmore, \*Gresham, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Kyle, \*Lundberg, \*Massey, \*Powers, \*Reeves, \*Roberts, \*Rose, \*Southerland, \*Stevens, \*Swann, \*Watson, \*White, \*Yager, \*Yarbro, \*McNally.

**\*Senate Joint Resolution No. 24** -- Memorials, Congratulations - Luke and Mackenzie Gustafson, 10th wedding anniversary. by \*Johnson, \*Southerland.



**\*Senate Joint Resolution No. 25** -- Memorials, Personal Occasion - Joe Millsaps, 90th birthday. by \*Reeves.

**\*Senate Joint Resolution No. 26** -- Memorials, Recognition - Representative Harry T. Burn, Deciding Vote on Women's Suffrage . by \*Bell, \*Yager, \*Akbari, \*Bowling, \*Gilmore, \*Gresham, \*Kyle, \*Massey, \*White, \*Bailey, \*Briggs, \*Crowe, \*Dickerson, \*Gardenhire, \*Haile, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Lundberg, \*Niceley, \*Powers, \*Reeves, \*Roberts, \*Rose, \*Southerland, \*Stevens, \*Swann, \*Watson, \*Yarbro, \*McNally.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar No. 2 be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar No. 2 be concurred in, which motion prevailed by the following vote:

Ayes ..... 90  
Noes..... 0

Representatives voting aye were: Baum, Beck, Boyd, Bricken, Byrd, Calfee, Carr, Cepicky, Chism, Clemmons, Crawford, Curcio, Daniel, DeBerry, Dixie, Doggett, Dunn, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks, Hill M, Hill T, Hodges, Holsclaw, Holt, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Miller, Mitchell, Moody, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Todd, Travis, Van Huss, Vaughan, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--90

A motion to reconsider was tabled.

### PRESENT IN CHAMBER

Rep. Parkinson was recorded as being present in the Chamber.

### RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 27 out of order, which motion prevailed.

**\*Senate Joint Resolution No. 27** -- General Assembly, Adjournment - Adjourns sine die the Second Extraordinary Session of the 111th General Assembly. by \*Johnson.

On motion of Rep. Lamberth, the resolution was concurred in.

A motion to reconsider was tabled.

**CLERK'S NOTE TO THE JOURNAL**

Pursuant to **Rule No. 20**, Rep. Cochran was excused from Session on Wednesday, August 12, 2020.

**MESSAGE FROM THE SENATE**  
**August 12, 2020**

MR. SPEAKER: I am directed by the Senate to notify the House that the Senate has completed its business and is ready to adjourn in accordance with Senate Joint Resolution No. 27.

RUSSELL A. HUMPHREY, Chief Clerk

**SENATE READY TO ADJOURN**

Senator Rose notified the House that the Senate had completed its business and was ready to adjourn, sine die.

**SELECT COMMITTEE APPOINTMENTS**

Representative Lamberth moved that the Speaker appoint a committee to notify the Senate that the House had completed its business for this Second Extraordinary Session and was ready to adjourn, sine die. The Speaker appointed Representatives Tillis, Hazlewood, Whitson, Vaughan, Chism and Hardaway, with Rep. Tillis serving as Chair.

Representative Lamberth moved that the Speaker appoint a committee to notify the Governor that the House had completed its business for this Second Extraordinary Session and was ready to adjourn, sine die. The Speaker appointed the following: Representatives M. Hill, T. Hill, Van Huss, Moody, Mitchell, Towns and Staples, with Rep. M. Hill serving as Chair.

Thereupon, the House stood in a brief recess pending return of the select committees from their respective tasks.

**REPORTS OF SELECT COMMITTEES**

Rep. M. Hill reported to the House that the Governor had been notified that the House had completed its business for the Second Extraordinary Session and is ready to adjourn, sine die.

Rep. Tillis reported to the House that the Senate had been notified that the House had completed its business for the Second Extraordinary Session and is ready to adjourn, sine die.

**JOURNAL APPROVED**

On motion of Rep. Lamberth, the Journal of the House of Representatives and the proceedings thereof were approved from the First Legislative Day through the Third Legislative Day of the Second Extraordinary Session of the 111<sup>th</sup> General Assembly.

**ENGROSSED BILLS  
August 12, 2020**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 3.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS  
August 12, 2020**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 2.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS  
August 12, 2020**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolutions Nos. 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
August 12, 2020**

MR. SPEAKER: I am directed to return to the House, House Bill No. 2; substituted for Senate Bill on same subject and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
August 12, 2020**

MR. SPEAKER: I am directed to return to the House, House Bill No. 3; substituted for Senate Bill on same subject and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS**  
**August 12, 2020**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolutions Nos. 28, 29, 30 and 31.

GREG GLASS, Chief Engrossing Clerk

**MOTION TO ADJOURN**

Rep. Lamberth moved that pursuant to **Senate Joint Resolution No. 27**, the Second Extraordinary Session of the House of Representatives of the One-Hundred Eleventh General Assembly adjourn sine die.

**SINE DIE ADJOURNMENT**

Thereupon, in accordance with **Senate Joint Resolution No. 27**, Mr. Speaker Sexton declared the Second Extraordinary Session of the House of Representatives of the One-Hundred Eleventh General Assembly adjourned, sine die.

Cameron Sexton, Speaker,  
House of Representatives.

ATTEST:

TAMMY LETZLER, Chief Clerk,  
House of Representatives.

**MESSAGE FROM THE SENATE**  
**August 13, 2020**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**  
**August 13, 2020**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1, 2 and 5; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED**  
**August 13, 2020**

The Speaker announced that he had signed the following: Senate Bills Nos. 1, 2 and 5.

TAMMY LETZLER, Chief Clerk

**ENROLLED BILLS**  
**August 13, 2020**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 2 and 3; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**  
**August 13, 2020**

The Speaker announced that he had signed the following: House Bills Nos. 2 and 3.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**  
**August 13, 2020**

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 2 and 3; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS**  
**August 13, 2020**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 3, 4, 5, 6, 7, 8 and 9; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**  
**August 13, 2020**

The Speaker announced that he had signed the following: House Resolutions Nos. 3, 4, 5, 6, 7, 8 and 9.

GREG GLASS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK**  
**August 13, 2020**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 2 and 3; for his action.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS**  
**August 14, 2020**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**  
**August 14, 2020**

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**  
**August 14, 2020**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**  
**August 14, 2020**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK  
August 14, 2020**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31; for his action.

GREG GLASS, Chief Engrossing Clerk

**SIGNED  
August 14, 2020**

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26.

TAMMY LETZLER, Chief Clerk

**MESSAGE FROM THE GOVERNOR  
August 17, 2020**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31; with his approval.

LANG WISEMAN, Deputy and Counsel to the Governor

**MESSAGE FROM THE SENATE  
August 18, 2020**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 27; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE GOVERNOR  
August 20, 2020**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 2 and 3; with his approval.

LANG WISEMAN, Deputy and Counsel to the Governor

**SIGNED  
August 26, 2020**

The Speaker announced that he had signed the following: Senate Joint Resolution No. 27.

TAMMY LETZLER, Chief Clerk